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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/730,603	12/08/2003	Kamel M. Shaheen	I-2-0490.IUS	4022
24374	7590	01/10/2006	EXAMINER	
VOLPE AND KOENIG, P.C. DEPT. ICC UNITED PLAZA, SUITE 1600 30 SOUTH 17TH STREET PHILADELPHIA, PA 19103			HOM, SHICK C	
			ART UNIT	PAPER NUMBER
			2666	

DATE MAILED: 01/10/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

## Office Action Summary

Application No.

10/730,603

Applicant(s)

SHAHEEN, KAMEL M.

Examiner

Shick C. Hom

Art Unit

2666

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☒ Responsive to communication(s) filed on 19 December 2005.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☒ Claim(s) 16-29 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 16-29 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

### Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
  - ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

### Attachment(s)

- ☒ Notice of References Cited (PTO-892)
- ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)  
Paper No(s)/Mail Date \_\_\_\_\_.
- ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date. \_\_\_\_\_.
- ☐ Notice of Informal Patent Application (PTO-152)
- ☐ Other: \_\_\_\_\_.

**DETAILED ACTION**

***Continued Examination Under 37 CFR 1.114***

1. A request for continued examination under 37 CFR 1.114, including the fee set forth in 37 CFR 1.17(e), was filed in this application after final rejection. Since this application is eligible for continued examination under 37 CFR 1.114, and the fee set forth in 37 CFR 1.17(e) has been timely paid, the finality of the previous Office action has been withdrawn pursuant to 37 CFR 1.114. Applicant's submission filed on 2/19/05 has been entered.

***Claim Objections***

2. Claims 17-18, 21-22, 25-26 are objected to because of the following informalities: In claims 17-18, 21-22, 25-26 lines 1-2, the words "a reassociation message" seem to refer back to the "reassociation message" recited in claims 16, 20, line 7 and claim 24 line 8, respectively. If this is true, it is suggested changing "a reassociation message" to ---the reassociation message---. Appropriate correction is required.

Art Unit: 2666

***Claim Rejections - 35 USC § 112***

3. Claims 18, 22, 26 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

In claims 18, 22, 26 line 6 which recite "the handoff procedure" lack antecedent basis because no handoff procedure have been recited in the claims and therefore the limitation is not clearly understood; further it is not clear as to whether they're reciting ---the method for handoff--- of claims 16, 20, 24, respectively.

***Claim Rejections - 35 USC § 102***

4. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless -

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

5. Claims 16-29 are rejected under 35 U.S.C. 102(b) as being anticipated by Kuehnel et al. (5,907,542).

Regarding claims 16, 20, 24, 28-29:

Art Unit: 2666

Kuehnel et al. disclose a method for handoff of a wireless terminal from a first access point (AP) associated with a first access router (AR) in a first extended service set (ESS) to a second AP associated with a second AR in a second ESS, comprising: the terminal, responsive to the loss of a connection with the first AP, scanning for another connection, finding the second AP, retrieving information from the second AP, determining that the second AP is different from the first AP (see abstract and col. 2 line 66 to col. 3 line 12 which recite detecting loss connection, the mobile terminal initiating registration or handover from one access point to another including the exchanging of messages during the handover protocol clearly anticipate the method for handoff of wireless terminal from the first access point to the second access point including response to loss of connection and retrieving and exchanging information); the terminal transmitting a reassociation message to the second AP; the second AP receiving the reassociation message from the terminal and sending to the terminal a reassociation success message; the terminal, after the receipt of the reassociation success message, initiating a handoff procedure and providing to the second AP information regarding the first AR, which the second AP then provides to the second AR; the second AR, responsive to receiving the

Art Unit: 2666

information regarding the first AR from the second AP, contacting the first AR; the first AR, responsive to being contacted by the second AR, rerouting traffic for the terminal to the second AR; and the second AR reestablishing a session between the terminal and the second AP (see col. 5 lines 13 to col. 6 line 18 which describes the registration processing for associating the terminal to the access point including the transmission of a confirmation message whereby registration may be combined with authentication and accounting clearly reads on the reassociation success message and col. 6 lines 19-56 which describes the handover process requiring a re-registration due to loss of carrier and the exchange of control information through the existing access point with the terminal being associated clearly reads on transmitting and receiving reassociation message and initiating a handoff procedure for switching to the new access point).

Regarding claims 17, 21, 25:

Kuehnel et al. disclose the reassociation message includes identifiers of the first AP, the second AP and the first ESS (col. 5 line 56 to col. 6 line 18 recite identifiers being transmitted as part of the request message during registration reads on the identifiers of the reassociation message).

Regarding claims 18-19, 22-23, 26-27:

Art Unit: 2666

Kuehnel et al. disclose a distribution system in the second ESS failing to recognize the first AP; the reassociation success message indicating to the terminal that the first AP was not recognized; and the terminal initiating the handoff procedure in response to receiving the reassociation success message as in claims 18, 22, 26; and the step of releasing resources that had been used and/or reserved for the use of the terminal as in claims 19, 23, 27 (col. 6 lines 57 to col. 7 line 26 recites re-issuing another handover request if the request has failed and sending a message to determine which AP the terminal is attached to and the step of freeing pending connections).

### ***Conclusion***

6. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Lee et al. disclose a method for performing handoff in wireless network.

Engwer discloses a method, apparatus, and system for managing data compression in a wireless network.

Kowalski discloses a system and method for hybrid coordination in a wireless LAN.

Art Unit: 2666

7. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Shick C. Hom whose telephone number is 571-272-3173. The examiner can normally be reached on Monday to Friday with alternate Fridays off.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Seema Rao can be reached on 571-272-3174. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

SH



DANG TON  
PRIMARY EXAMINER